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25HC # 62293
ORIGINAL
OPEN MEETING AGENDA ITEM

Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 MARC SPITZER
COMMISSIONER

5
6 IN THE MATTER OF THE JOINT APPLICATION
7 OF SUN CITY WATER COMPANY AND SUN
8 CITY WEST UTILITIES COMPANY FOR
9 APPROVAL OF CENTRAL ARIZONA PROJECT
10 WATER UTILIZATION PLAN AND FOR AN
11 ACCOUNTING ORDER AUTHORIZING A
12 GROUNDWATER SAVINGS FEE AND
13 RECOVERY OF DEFERRED CENTRAL
14 ARIZONA PROJECT EXPENSES.

DOCKET NO. W-01656A-98-0577 ✓
DOCKET NO. SW-02334A-98-0577 ✓

PROCEDURAL ORDER**BY THE COMMISSION:**

11 By Procedural Order issued June 5, 2001, this matter was scheduled for hearing to commence
12 on August 15, 2001.

13 By Procedural Order issued August 13, 2001, the hearing was rescheduled for October 3 and
14 4, 2001.

15 On September 21, 2001, the Sun City Taxpayers Association, Inc. ("SCTA") filed a motion to
16 continue the hearing for 60 days. SCTA claims that the additional continuance is necessary to allow
17 the Maricopa County Superior Court to hear oral arguments and to rule on a pending Motion to
18 Dismiss in *Sun City Taxpayers Association, Inc., et al v. Recreation Centers of Sun City, Inc. and Sun*
19 *City Water Co., Inc.*, Case No. CV2001-006415. SCTA states that the oral argument in that case has
20 been rescheduled from September 10 to November 16, 2001. SCTA argues that Sun City Water
21 Company and Sun City West Utilities Company (jointly "Citizens" or "Companies") will not be
22 prejudiced by such a continuance because the Companies do not intend to proceed with construction
23 of the Groundwater savings Plan until the court has ruled on the Motion to Dismiss.

24 On September 25, 2001, Staff and the Residential Utility Consumers Office filed responses
25 stating that they do not oppose the requested continuance of the hearing date.

26 Also on September 25, 2001, Citizens filed a response opposing the request for a continuance
27 of the hearing. Citizens argues that SCTA has not demonstrated good cause for the requested
28


1 continuance. Citizens requests that the hearing go forward as scheduled on October 3, 2001.

2 The Motion to Continue shall be granted. It is reasonable to delay the start of the hearing in
3 this matter since it appears that the Superior Court ruling may have some effect on this proceeding.
4 Further, it does not appear that Citizens will be unduly prejudiced by the additional continuance of
5 the hearing date. However, no further continuances of this hearing shall be granted absent
6 extraordinary circumstances. Due to scheduling constraints, the hearing will be continued until
7 January 3, 2001.

8 IT IS THEREFORE ORDERED that the hearing in this matter, to determine whether
9 Citizens' Preliminary Engineering Report complies with Decision No. 62293, shall be rescheduled to
10 commence on January 3, 2002, at 9:00 a.m., or as soon thereafter as is practical, at the Commission's
11 offices at 1200 West Washington, Phoenix, Arizona. 1013 -

12 IT IS FURTHER ORDERED that a pre-hearing conference for the purpose of scheduling
13 witnesses and discussing other procedural issues shall be held on January 2, 2002, at 1:00 p.m., at the
14 Commission's offices.

15 DATED this 26th day of September, 2001.

16 
17 DWIGHT D. NODES
18 ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed
20 this 26th day of September, 2001 to:

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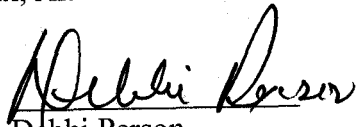
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Secretary to Dwight D. Nodes